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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/598,315

04/08/2008

Lawrence Solomon

SLP-035

2612

47888 7590 09/04/2009
HEDMAN & COSTIGAN P.C.
1185 AVENUE OF THE AMERICAS
NEW YORK, NY 10036

EXAMINER

SASAN, ARADHANA

ART UNIT

PAPER NUMBER

1615

MAIL DATE

DELIVERY MODE

09/04/2009

PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

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APPLICATION NO./ CONTROL NO.	FILING DATE	FIRST NAMED INVENTOR / PATENT IN REEXAMINATION	ATTORNEY DOCKET NO.
10598315	4/8/2008	SOLOMON ET AL.	SLP-035

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NEW YORK, NY 10036

EXAMINER

ARADHANA SASAN

ART UNIT	PAPER
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20090831

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Please find below and/or attached an Office communication concerning this application or proceeding.

Commissioner for Patents

The reply filed on 07/17/09 is not fully responsive to the prior Office Action because of the following omission(s) or matter(s): Applicant has not adequately replied to the Provisional Obviousness Type Double Patenting Rejection. Applicant notes the provisional rejection of claims 1-26 and 33 for double patenting over Serial No. 11/441,455 but states that "since no claims have been allowed in either application, no action is required at this time" (Page 11 of remarks filed on 07/17/09).

As such, the submission filed 07/17/09 is not fully responsive because it is not in compliance with 37 CFR 1.111(b), which states that "[i]n order to be entitled to reconsideration or further examination, the applicant or patent owner must reply to the Office action. The reply by the applicant or patent owner must be reduced to a writing which distinctly and specifically points out the supposed errors in the examiner's action and must reply to every ground of objection and rejection in the prior Office action. The reply must present arguments pointing out the specific distinctions believed to render the claims, including any newly presented claims, patentable over any applied references. If the reply is with respect to an application, a request may be made that objections or requirements as to form not necessary to further consideration of the claims be held in abeyance until allowable subject matter is indicated. The applicant's or patent owner's reply must appear throughout to be a bona fide attempt to advance the application or the reexamination proceeding to final action. A general allegation that the claims define a patentable invention without specifically pointing out how the language of the claims patentably distinguishes them from the references does not comply with the requirements of this section.

Since the above-mentioned reply appears to be bona fide, applicant is given ONE (1) MONTH or THIRTY (30) DAYS from the mailing date of this notice, whichever is longer, within which to supply the omission or correction in order to avoid abandonment. EXTENSIONS OF THIS TIME PERIOD MAY BE GRANTED UNDER 37 CFR 1.136(a).

/Aradhana Sasan/
Examiner, Art Unit 1615

/MP WOODWARD/
Supervisory Patent Examiner, Art Unit 1615